entire estates are registered from paying the revenue due to Government from such lands.

4 to 21. [*Rules as to sale of lands paying Government revenue and assessment of land-revenue on divided lands : prohibition of purchase of lands by Europeans or by native officers or private servants of Collectors.*] *Rep., Mad. Act II of* 1864, *s.* 65.

MADRAS REGULATION XXIX OF 1802.[1]

[THE MADRAS KARNAMS REGULATION, 1802.]

[*13th July 1802.*]

A Regulation for establishing the Office of Karnam, and defining the Duties of the said Office, in the [2][ ] Territories subject to the Presidency of Fort St. George.

[3]* * * * The office of karnam being still of great importance to the preservation of the rights and property of the people, it is expedient to provide for the continuance of that office on an efficient establishment, for the purpose of facilitating the decision of suits in the Courts of Judicature, of preventing the diminution of the fixed

[1] Short title, "The Madras Karnams Regulation, 1802"—*see* the Repealing and Amending Act, 1901 (Central Act XI of 1901).

This Regulation was declared by the Laws Local Extent Act, 1874 (Central Act XV of 1874)—s. 4 and the Second Schedule—to be in force in the whole of the Presidency of Madras except the territories mentioned in the Sixth Schedule to that Act. The Regulation has been extended by a notification under s. 5 of the Scheduled Districts Act to the Bhadrachalam taluk and the Muttas of Dutacharti and Guditeru of the Godavari Agency—*see Fort St. George Gazette*, 1930, Pt. I, p. 553. The Regulation is not in force in the Nugur taluk. It was declared by s. 7, cl. 1, of Mad. Reg. II of 1806, that the provisions of ss. 1 to 10 and 13 to 16 of this Regulation should not extend to districts of which the revenue was not permanently settled, and rules for the duties of karnams in such districts were enacted in s. 7, cl. 2, of the Reg. of 1806, in addition to those prescribed by ss. 11, 12, 17 and 18 of Mad. Reg. XXIX of 1802. Further duties were assigned to karnams by Mad. Reg. XI of 1816.

Mad. Reg. XXIX of 1802 ceases to be in force in estates where the Madras Proprietary Estates' Village-service Act, 1894 (Mad. Act II of 1894), is extended to the office of village-accountant—*see* s. 3 of that Act.

On and after the commencement of Mad. Act III of 1895 (which, however, does not apply to Scheduled Districts), no portion of this Regulation shall continue to apply to any local area which is not a permanently settled proprietary estate—*see* s. 2 (1) of the Act.

[2] The word "British" was omitted by the Adaptation Order of 1950.

[3] The first portion of the preamble was repealed by Central Act XII of 1876.

revenue of the Government, and of securing individual persons from injustice, by enabling the public officers of Government and the Courts of Judicature to procure authentic information and accounts. In conformity, therefore, to the ancient usages of the country, the following rules have been enacted for the establishment of the office of Karnam.

Establishment of office of karnam.

2. An office of record, under a karnam, shall be established in each village of a district where the land-revenue may have been permanently assessed on the lands ; provided the revenues arising from such village, inclusively of charges, may amount to the annual sum of four hundred pagodas or upwards. But in villages where the annual revenue may be less than the said sum of four hundred pagodas, it shall be competent for one karnam to superintend and discharge the duties of the karnam's office in two or more villages.

Nomination to office.

3. The nomination of persons to the office of karnam shall be in the actual proprietors of land.

4. [*Appointment to office.*] *Rep. Central Act XII of* 1876.

[1][**5.** * * * *]

Vacancies how supplied.

6. Where vacancies may occur in the office of karnam, either by death or dismission, the landholder concerned shall report the event to the Collector, and shall within thirty days nominate a proper person to fill the vacancy, acquainting the Collector with the name of such person.

Office of karnam hereditary. Exception.

7. In filling vacancies in the office of the karnam the heirs of the preceding karnam shall be chosen by the landholders concerned, except in cases of incapacity, on proof of which before the Judge of the zila the said landholders shall be free to exercise their discretion in the nomination of persons to fill vacancies.

List of karnams and of villages under each.

8. Proprietors of land shall deposit in the Adálat of the zila, in the head kachari of the Collector, and in the principal kachari of each zamíndárí or estate authentic lists containing the names of the karnams on their respective estates, and the names of the villages of which the said karnams may have been appointed to keep the accounts.

Board of Revenue may reduce number of karnams.

9. It shall be competent for the Board of Revenue at the Presidency to authorize, through the channel of the Collectors, the proprietors of land to reduce the number of karnams in all cases where such reductions may appear to be advisable to the said Board.

Penalty for neglecting to appoint karnams.

10. Proprietors of land neglecting to appoint karnams shall be liable to fine for such neglect, at the discretion of the Adálat of the zila.

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[1] This section was omitted by the Adaptation Order of 1937.

Karnams to keep registers of lands in each village.

11. *First.*—Karnams duly appointed to their offices shall keep complete registers of the extent of the lands in each village, specifying the boundaries, and landmarks, and showing their appropriation: namely, arable, cultivated and uncultivated, pasture, occupied for houses, gardens, rivers, tanks, springs or wells, waste in hills, jungle or rocks.

Registers to specify lands exempt from payment of revenue by established usage;

Second.—The said registers shall specify the extent and description of land in each village exempt from paying revenue to Government at the time when the permanent assessment was fixed, the purposes to which the exempted lands are appropriated, and the names of the holders of such lands.

and lands exempt from payment of revenue by grants or sanads.

Third.—The said registers shall specify the lands in each village exempted by grants or sanads from paying revenue to Government, the purposes for which such lands were granted, the condition of the grant, and the names of the holders.

Karnams to report death of incumbents on such lands.

Fourth.—Karnams shall report to the proprietors of lands the death of all incumbents on lands exempted from the payment of revenue to Government.

Their duty as to crop.

Fifth.—Karnams shall be present at the estimation of the crop, at the beating out, and at the measuring of the grain.

Gross produce of all lands, with particulars as to its division, to be registered.

Sixth.—Karnams shall keep true accounts of the gross produce of all lands, whether paying revenue to Government or not; where the produce of such lands may be shared between the proprietors and the cultivators, karnams shall also enter in their registers the quantity of grain so divided, as well as the rates of division.

Amount of fees and méras paid in a village to be registered.

Seventh.—Karnams shall enter in their registers the rates and amount of all fees and méras[1] appropriated to the officers and servants of the villages, specifying whether such fees or méras are payable from the gross produce of the entire lands, from the proprietor's share or from the raiyat's share.

Karnams to keep registers of lands paying money-rent;

Eighth.—Where lands may be liable to pay money-rents, karnams shall keep registers of the extent of the land cultivated, and of the rates and amount of the money-rents.

to register lands cultivated in gardens;

Ninth.—Karnams shall keep registers of the land cultivated in gardens, and of the rates and amount of the division of the produce of such lands, when the produce may be divided in kind.

to register quit-rents and ready-money payments; and price current of grain;

Tenth.—Karnams shall keep registers of the quit-rent and ready-money payments collected in each village.

Eleventh.—Karnams shall keep monthly registers of the price of all kinds of grain.

[1] *Méra* means, according to Wilson, "a portion of the crop given as a perquisite to the holders of a proprietary right in the village lands or to the hereditary village-officers and servants, out of the common stock from the threshing-floor."

Twelfth.—Karnams shall keep registers of strangers passing or repassing as reported to him by the village-watcher, and such registers shall at all times be open to the inspection of the officers of police. and passengers reported by village-watcher.

Thirteenth.—Karnams shall keep the accounts which are to exhibit the actual revenue and charges of the village, and the records of their offices entire; and shall not carry such accounts or records out of their respective villages, unless required to do so by competent authority. Karnams secreting the accounts or records of their offices, or transporting them beyond their respective villages, except by due authority, shall be liable to fine and imprisonment until the accounts and records may be produced; but proprietors or farmers of lands shall at all times have free access to the accounts and records, with power to take copies of them. Rules for keeping entire accounts and records of office of karnam.

12. Karnams shall produce, whenever required by the proprietor or farmer of the lands, by the Collector or by the Adálat of the zila, the records and accounts relating to the lands, produce, revenue and charges of their villages respectively. Karnams to produce records when required by proprietor, Collector or Adálat.

13. Collectors shall not demand from karnams their accounts or records for any other purpose than that of assessing the public revenue upon the portions of estates which it may be necessary to divide, in consequence of attachment for arrears of revenue, or in pursuance of a decree of a Court of Judicature, or for the accommodation of the joint proprietors of lands; provided that this section shall not be construed to preclude Collectors or other public officers from demanding from karnams the information required for the due administration of the revenues of such lands as may escheat to [1][the Government] or remain khás after attachment for arrears of revenue. When Collectors or other public officers may demand karnams' accounts or records.

14. On complaints by the proprietors of land, the Adálats of the several zilas shall have authority to make orders to prohibit the Collectors respectively from demanding the attendance of the karnams, the accounts or information; and to levy fines from such Collectors for persisting to demand their attendance, accounts or information for any other purposes than those authorized by this Regulation. Power to prohibit Collectors, in certain cases, from making such demands.

15. Where Collectors or Courts of Judicature may have occasion to require the attendance of a karnam, a notice shall be delivered to the said karnam specifying the time and place of attendance, the nature of the accounts required and the persons before whom such accounts shall be examined. Forms to be observed in requiring attendance of karnams.

[1] The words "the Crown" were substituted for the word "Government" by the Adaptation Order of 1937 and the word "Government" was substituted for "Crown" by the Adaptation Order of 1950.

Punishment for refusal or wilful delay on part of karnams.

16. Where karnams may refuse to comply, or may unreasonably delay to comply, with such notice duly communicated, it shall be competent for the Adálat to punish such karnams by fine or imprisonment until the accounts or information required be produced.

Karnams compellable to swear to accounts.

17. Karnams shall be compellable to swear to the truth of such accounts or information as they may furnish before a Court of Judicature; and it shall be competent for the Court to grant a commission for the purpose of receiving the depositions of such karnams as it may be necessary to examine at a distance from the Court; provided that the said commission shall contain the name of each karnam to be examined on oath.

Penalty for furnishing false accounts.

18. Where karnams may deliver false or fabricated or mutilated accounts or information, after having been duly sworn, the Judge of the Adálat shall commit such karnams to be tried for the crime of prejury * * *.[1]

Proprietors of land conniving thereat how punishable.

19. Proprietors of land or other persons associating themselves with karnams for the purpose of producing or procuring false or fabricated or mutilated accounts or information shall also be committed by the Judge of the Adálat for trial * * * [1] for subornation of perjury.

MADRAS REGULATION I OF 1803.[2]

[THE MADRAS BOARD OF REVENUE REGULATION, 1803.]

[*1st January 1803.*]

A Regulation for defining the Duties of the Board of Revenue, and for determining the Extent of the Powers vested in the Board of Revenue.

WHEREAS it has hitherto been usual for the Board of Revenue to exercise judicial authority in the determination

[1] The words "before the Court of Circuit" were repealed by Central Act XII of 1876.

[2] Short title, "The Madras Board of Revenue Regulation, 1803"—*see* the Repealing and Amending Act, 1901 (Central Act XI of 1901).

This Regulation was declared by the Laws Local Extent Act, 1874 (Central Act XV of 1874), s. 4 and the Second Schedule, to be in force in the whole of the Presidency of Madras except the territories mentioned in the Sixth Schedule to that Act. The Regulation has been declared not to apply to the East Godavari Agency by notification under sub-section (2) of s. 52-A of the Government of India Act—*see Fort St. George Gazette*, 1930, Pt. I, p. 1392. As to arrears of revenue recoverable under Mad. Act II of 1864, this Regulation is inoperative—*see* s. 62 of that Act.